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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/539,028

06/15/2005

Michael Perkuhn

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03/05/2009

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

CATTUNGAL, SANJAY

ART UNIT

PAPER NUMBER

3768

MAIL DATE

DELIVERY MODE

03/05/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/539,028	Applicant(s) PERKUHN ET AL.	
	Examiner SANJAY CATTUNGAL	Art Unit 3768	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>10/12/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 7-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 6,553,251 Lahdesmaki in view of U. S. Patent No. 5,760,688 to Kasai.

Regarding **Claims 1, 3, 7, 13 and 14**, Lahdesmaki teaches a system for noninvasive measuring of a conductivity in a volume, said system comprising magnetic means arranged as a resonant circuit, said magnetic means being arranged to induce an oscillating magnetic field in said volume, said system further comprising power supply means connectable to said magnetic means (Col. 7 lines 15-20).

Lahdesmaki does not expressly teach power supply means being arranged to provide a signal characteristic to a power loss of said resonant circuit upon an application of said magnetic field to said volume, and that the magnetic means are integrated into an insulating fabric carrier.

Kasai teaches a power supply means characteristic to a power loss of said resonant circuit upon an application of said magnetic field to said volume (Fig. 11

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element 102), and that the magnetic means are integrated into an insulating fabric carrier (Fig. 5).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Lahdemaki with a power supply means arranged to provide a signal characteristic to a power loss of said resonance circuit as taught by Kasai, since such a setup would result in the system being able to detect power loss.

Regarding **Claims 2, 8, and 9**, Kasai teaches the use of a reference signal (Col. 5 lines 35-40).

Regarding **Claims 5 and 6**, Kasai does not expressly teach that the insulating fabric carrier is a bed sheet and a safety belt.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Lahdesmaki and Kasai with a setup such that the fabric carrier is a bedsheet or a safety belt, since such a setup would result in the system being more flexible and usable in many different situations, moreover where you place the coil is merely a design choice.

Regarding **Claim 10**, Lahdesmaki teaches that the target volume comprises a heart of the user (Abstract and Fig. 3a).

Regarding **Claims 11 and 12**, Lahdesmaki teaches triggering an alarm upon detecting disorder in a condition of a user (Fig. 7 element 726).

Claims 4-6, are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 6,553,251 Lahdesmaki in view of U. S. Patent No. 5,760,688 to Kasai further in view of U. S. Publication No. 2002/0151788 to Menon.

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Regarding **Claim 4**, Lahdesmaki and Kasai teaches all of the above claimed limitations but does not expressly teach that the fabric carrier is a part of clothing.

Menon teaches that the fabric carrier is a part of clothing.

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Lahdesmaki and Kasai with a setup such that the fabric carrier is part of the clothing, as taught by Menon, since such a setup would result in the system being more flexible and usable in many different situations, moreover where you place the coil is merely a design choice.

Regarding **Claims 5 and 6**, Kasai teaches that the insulating fabric carrier is a bed sheet and a safety belt.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SANJAY CATTUNGAL whose telephone number is (571)272-1306. The examiner can normally be reached on 9:30 - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long Le can be reached on (571)272-0823. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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SPC

/Long V Le/

Supervisory Patent Examiner, Art Unit 3768